REMARKS

Claims 15-34 are pending in the application; the status of the claims is as follows:

Claim 29 is objected to under 37 C.F.R. § 1.75 as being a substantial duplicate of claim 30.

Claims 29 and 30 are rejected under 35 U.S.C. § 112, second, paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 15-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,467,102 to Kuno et al ("Kuno") in view of U.S. Patent No. 5,777,611 to Song ("Song"), and further in view of U.S. Patent No. 6,266,113 B1 to Yamazaki et al ("Yamazaki").

To date, no Notice of Draftsperson's Patent Drawing Review has been received. Applicants respectfully request receipt of this document when it becomes available. Please note that the original drawings filed in the patent application are "formal" drawings.

Claims 15, 16, 24, 29-31 and 33 have been amended to more particularly point out and distinctly claim the invention. These changes do not introduce any new matter.

37 U.S.C. § 1.75 Rejection

It is respectfully submitted that the rejection of claims 29 under 37 U.S.C. § 1.75 as being a substantial duplicate of claim 30, is mooted by the amendments to claims 29 and 30. Accordingly, it is respectfully requested that the rejection of claim 29 under 37 U.S.C. § 1.75 as being a substantial duplicate of claim 30, be reconsidered and withdrawn.

35 U.S.C. § 112 Rejection

It is respectfully submitted that the rejection of claims 29 and 30 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, is mooted by the amendments to claims 29 and 30. Accordingly, it is respectfully requested that the rejection of claims 29 and 30 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejection

The rejection of claims 15-34 under 35 U.S.C. § 103(a), as being unpatentable over Kuno in view of Song, and further in view of Yamazaki, is respectfully traversed because the combination is improper and because the combination fails to teach all elements of the rejected claims.

Claim 15 requires "a display . . . which has a memory effect." The Examiner has interpreted memory effect in a manner analogous to the memory effect exhibited by a NiCd battery, wherein the battery "remembers" its usual discharge point and superficially "needs" a charge whenever it hits that point."[1] It is respectfully submitted that Kuno fails to disclose a display having a memory effect as interpreted by the Examiner. Indeed, no citation is provided for such a teaching. Moreover, the interpretation of 'memory effect' is clearly incorrect. As defined in the specification, a display with a memory effect means that the display "can maintain its display state after stoppage of application of a voltage."[2] Although the claim language is clear, claims 15, 24, 31, and 33 are amended to explicitly recite "a display . . . which is capable of keeping displaying information thereon after stoppage of supplying of electric power." It is respectfully submitted that Kuno, Song and Yamazaki fail to teach, suggest, or otherwise disclose a display having a memory effect.

[1] Office Action, page 2.
[2] Application, page 10, lines 4-5.

Moreover, the combined references fail to teach "a control section which inhibits the display driving circuit and the storage medium driving circuit, respectively, from performing a display updating operation and from performing an image data reading operation simultaneously." Allegedly, this feature of claim 15 is taught by Song, which teaches a circuit for applying and removing two power supplies to an LCD display.[3] However, if a "proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification."[4] Song teaches a circuit that provides two power enable signals so that power to an LCD may be applied and removed in a prescribed sequence.[5] Altering Song so that one power enable signal controlled the LCD with the second power enable signal controlled a storage medium would render Song unusable for it intended purpose. Accordingly, there can be no motivation to modify Song and the combination is improper.

It is respectfully submitted that Yamazaki fails to provide the teachings missing from Kuno and Song. Moreover, Yamazaki teaches directly away from the claimed structure. As cited by the Examiner[6], Yamazaki teaches an LCD display having such low power requirements, e.g., 0.32 μA at 3V, that a CR2025 type button cell can power a the LCD for 3 years.[7] Therefore, using Yamazaki with Kuno and Song would suggest that the claimed "control section" is unnecessary because the Yamazaki LCD display is so power efficient.

In light of the foregoing, it is respectfully submitted that claim 15 distinguishes over the combination of Kuno, Song, and Yamazaki, as do claims 16-23 which depend from claim 15.

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[3] Office Action, page 4.
[4] MPEP 2143, citing In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).
[5] Song, column 1, lines 14-40.
[6] Office Action, page 6.
[7] Yamazaki, column 30, lines 21-25.

With respect to claim 24, it is respectfully submitted that for at least the same reasons as provided above regarding claim 15 the combination of Kuno, Song, and Yamazaki is improper and even assuming *arguendo* that the combination is proper it fails to teach, suggest, or disclose the elements of claim 24. Specifically, the combination fails to teach "a display . . . which is capable of keeping displaying information thereon after stoppage of supplying of electric power" and "a control section which . . . , inhibits the display driving circuit and the peripheral device, respectively, from performing a display updating operation and from operating the peripheral device simultaneously." Accordingly, claim 24 distinguishes over the combination of Kuno, Song, and Yamazaki, as do claims 25-30, which depend from claim 24.

With respect to claim 31, it is respectfully submitted that for at least the same reasons as provided above regarding claim 15 the combination of Kuno, Song, and Yamazaki is improper and even assuming *arguendo* that the combination is proper it fails to teach, suggest, or disclose the elements of claim 31. Specifically, the combination fails to teach "a display . . . which is capable of keeping displaying information thereon after stoppage of supplying of electric power" and "a control section which inhibits the display driving circuit and the storage medium driving circuit, respectively, from currently performing a display updating operation and an image data reading operation." Accordingly, claim 31 and claim 32, which depends from claim 31, distinguish over the combination of Kuno, Song, and Yamazaki.

With respect to claim 33, it is respectfully submitted that for at least the same reasons as provided above regarding claim 15 the combination of Kuno, Song, and Yamazaki is improper and even assuming *arguendo* that the combination is proper it fails to teach, suggest, or disclose the elements of claim 33. Specifically, the combination fails to teach "a display . . . which is capable of keeping displaying information thereon after stoppage of supplying of electric power" and "a control section which inhibits the display driving circuit and the peripheral device, respectively, from performing a display updating operation and from operating the peripheral device, simultaneously." Accordingly,

claim 33 and claim 34, which depends from claim 33, distinguish over the combination of Kuno, Song, and Yamazaki.

Accordingly, it is respectfully requested that the rejection of claims 15-34 under 35 U.S.C. § 103(a) as being unpatentable over Kuno in view of Song, and further in view of Yamazaki, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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